

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**LINDA THORNTON,**

**Plaintiff,**

**v.**

**FLAVOR HOUSE PRODUCTS, INC., and  
FRANKLIN D. WILLIAMS, JR.,**

**Defendants.**

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**Civil Action No.: 1:07cv712-WKW**

**JOINT MOTION TO EXTEND DEADLINE FOR DISPOSITIVE MOTIONS**

Defendants Flavor House Products, Inc. and Frank Williams and Plaintiff Linda Thornton jointly move the Court to extend the deadline for filing dispositive motions by two weeks, until May 2, 2008. As grounds for this motion, the parties state as follows:

1. Pursuant to the Court's Uniform Scheduling Order of September 28, 2007, the original deadline for dispositive motions was March 17, 2008. On January 31, 2008, the parties jointly moved to extend this deadline due to the need to repeatedly reschedule depositions to accommodate the hospitalization, surgical complications and travel restrictions of the Plaintiff's attorney. This motion was granted, and the dispositive motion deadline was moved to April 18, 2008.

2. As a result continuing medical issues and travel restrictions on the part of the Plaintiff's attorney, the parties had to continue some depositions from their originally scheduled dates and postpone others. Specifically, the Plaintiff's deposition was begun on February 19, 2008, but had to be continued until March 3, 2008. To accommodate the Plaintiff's attorney's travel restrictions, Flavor House agreed to move the deposition of its Dothan Director of

Operations from Dothan to Birmingham, and this deposition was begun on March 4, 2008. However, the deposition had to be continued after approximately two hours because of the need of the Plaintiff's attorney to obtain medical treatment. This deposition and four other depositions sought by the Plaintiff, as well as two depositions sought by the defendants, are now scheduled for April 8, 9 and 10, 2008 in Dothan, Alabama. The proximity of these depositions to the current dispositive motion deadline of April 18, 2008 will make it difficult to obtain deposition transcripts and prepare a timely dispositive motion, supporting brief and evidentiary submission.

3. This case is scheduled for a pretrial conference on August 11, 2008. The requested extension would still provide for a dispositive motion deadline that is more than 90 days prior to the scheduled pretrial conference.

4. The deadline for discovery is May 8, 2008. The parties do not believe that the requested extension would not necessitate a continuance of this or any other deadline provided in the Court's Uniform Scheduling Order.

WHEREFORE the parties respectfully request that the Court grant this motion and extend the deadline for dispositive motions by an additional two weeks, to May 2, 2008.

/s/ Jennifer F. Swain  
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